

Message Text

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ACTION SCSE-00

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FM AMCONSUL GUADALAJARA

TO SECSTATE WASHDC 2513

INFO AMEMBASSY MEXICO

UNCLAS GUADALAJARA 1325

E.O. 11652: N/A

TAGS: CASC MX

SUBJ: AMERICAN PRISONERS IN GUADALAJARA CONSULAR DISTRICT

1. CONSULAR OFFICER INTERVIEWED THE FOLLOWING PRISONERS IN GUADALAJARA ON 31 OCTOBER, 1975.

FERNANDEZ, EDWARD JOHN
PERKINS, LESTER

2. OF THE ABOVE PRISONERS, FERNANDEZ WAS INTERVIEWED AT THE HOSPITAL CIVIL WHERE HE IS NOW CONFINED FOR THE THIRD TIME SINCE HIS IMPRISONMENT. FERNANDEZ WAS ARRESTED ON JULY 5, 1974 FOR VIOLATIONS OF THE FEDERAL FIREARMS LAW AND HAS YET TO BE SENTENCED. SENTENCING HAS BEEN DELAYED BY MEXICAN CITIZENS, ARRESTED IN THE SAME CASE, MAKING VARIOUS MOTIONS THROUGH THEIR ATTORNEYS. JUDGE IS DETERMINED TO TRY THE ENTIRE GROUP IN A CONSPIRACY TRIAL& THUS MOTIONS BY SOME EFFECT ALL. CONGEN HAS SENT TWO WIRENOTES OF PROTEST TO THE EMBASSY CONCERNING THE FACT THAT SUBJECT HAS BEEN AWAITING TRIAL FOR MORE THAN ONE YEAR.

SUBJECT'S EARLIER HOSPITAL CONFINEMENTS WERE IMMEDIATELY FOLLOWING ARREST AND DURING SEPTEMBER, 1975. FERNANDEZ STATES THAT HIS PHYSICAL AILMENTS, A HEART CONDITION AND SORE SHOULDER, STEM FROM BEATINGS HE RECEIVED FROM FEDERAL

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JUDICIAL POLICE UPON HIS ARREST. PRISON OFFICIALS STATE

THAT FERNANDEZ IS IN SERIOUS CONDITION. NO HOSPITAL OFFICIALS WERE AVAILABLE DURING TO COMMENT CONOFF ON VISIT SUBJECT'S PHYSICAL CONDITION. DURING HIS HALF HOUR CONVERSATION WITH THE CONSULAR OFFICER, FERNANDEZ STATED THAT HE DID NOT WISH TO HAVE HIS WIFE INFORMED OF HIS SITUATION. HE REQUESTED THAT CONSULAR OFFICER CONTACT HIS ATTORNEY AND INFORM ATTORNEY OF HIS DESIRE FOR A RELEASE ON MEDICAL GROUNDS. AT THIS TIME CONGEN IS SEARCHING FOR THE ATTORNEY (LIC. CAYETANO GONZALEZ) WHO IS APPARENTLY OUT OF TOWN.

3. LESTER PERKINS WAS INTERVIEWED AT THE JALISCO PENITENTIARY. PERKINS HAS BEEN HOSPITALIZED TWICE SINCE HIS IMPRISONMENT WHICH BEGAN ON 21 SEPTEMBER, 1973. HE HAS SERVED APPROXIMATELY 2 YEARS, 2 MONTHS, OF HIS 3 YEARS, 1 MONTH SENTENCE FOR POSSESSION OF MARIJUANA AND LSD. PERKINS FIRST HOSPITALIZATION, SHORTLY AFTER ARREST, WAS FOR HEPATITIS. HIS SECOND CONFINEMENT WAS IN JULY, 1974. SUBJECT BELIEVED HE WAS SUFFERING FROM MENINGITIS. SEVERAL BRAIN TESTS AND A SPINAL TAP WERE DONE, ALTHOUGH RESULTS OF THE STUDIES HAVE NEVER BEEN RELEASED. PERKINS STATED THAT AFTER WAITING SEVERAL MONTHS, HE HAD HIS MEXICAN CITIZEN WIFE SMUGGLE THE TEST RESULTS OUT OF THE CIVIL HOSPITAL AND FORWARD THEM TO A PANEL OF DOCTORS IN THE U.S. FOR EVALUATION. SUBJECT STATED THAT RESULTS SHOW HE HAS A POTENTIALLY FATAL BRAIN TUMOR. CONOFF TOLD PERKINS THAT HIS ALLEGATIONS WOULD BE SENT TO THE JUDGE IN CHARGE OF HIS CASE IN A LETTER OVER THE SIGNATURE OF THE CONSUL GENERAL ASKING FOR A REDUCTION OF SENTENCE OR RELEASE ON MEDICAL GROUNDS. PERKINS WAS ASKED WHERE THE RESULTS OF HIS MEDICAL TESTS COULD BE OBTAINED IN CASE THE JUDGE WISHED TO EXAMINE THEM. HE STATED HE DIDN'T KNOW AND SUGGESTED WE TALK TO HIS MOTHER, VIOLET JOHNSON (TEL NO. 206-225-4241). CONSULAR OFFICER PHONED MRS. JOHNSON UPON RETURNING FROM PENITENTIARY. SHE WAS AT FIRST VERY EVASIVE ABOUT WHERE THE RESULTS COULD BE OBTAINED. AFTER BEING PRODDED WITH THE FACT THAT EVALUATION OF THE MEDICAL TESTS COULD POSSIBLY GAIN HER SON'S FREEDOM, SHE STATED THAT THEY WERE IN THE POSSESSION OF CONGRESSMAN FORTNEY STARK. MRS. JOHNSON BELIEVED THAT STARK WAS PLANNING TO USE THE INFORMATION IN HIS CONGRESSIONAL INVESTIGATION INTO THE TREATMENT

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OF AMERICAN PRISONERS IN MEXICO. CONSULAR OFFICER SUGGESTED THAT SHE REQUEST STARK TO SEND THE RESULTS TO THE CONGEN FOR FORWARDING TO THE JUDGE OF HER SON'S CASE. CONSULAR OFFICER FURTHER SUGGESTED THAT IF STARK DISTRUSTS THE CONGEN, HE COULD SEND THE DOCUMENTS WITH A COVERING LETTER IN SPANISH DIRECTLY TO THE JUDGE (LIC. ANTONIO LLANOS DUARTE, C. JUEZ CUARTO DE DISTRITO EN EL ESTADO, JUZGADO CUARTO DE DISTRITO GUADALAJARA, JALISCO, MEXICO).

ON NOVEMBER 5, 1975, THE AFORMENTIONED LETTER WAS SENT BY
THE CONGEN TO JUDGE ANTONIO LLANOS DUARTE.

ACTION REQUESTED:

POST REQUESTS DEPARTMENT CONTACT CONGRESSMAN STARK'S OFFICE
TO ASK THAT STARK FORWARD ANY MEDICAL EVIDENCE IN HIS
POSSESSION TO CONGEN OR DIRECTLY TO JUDGE TO ASSIST IN
PERKIN'S APPEAL FOR RELEASE.
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Disposition Authority: n/a
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